

REMARKS

Claims 1-30 are pending in the application. Claims 4, 8-10, 17-20, 22 and 25-30 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In order to have the first set of claims, 1-10, allowed, the limitation of claim 4 has been added to independent claim 1, as claim 4 has been indicated as being allowable if rewritten in independent form. The membrane cutting blades (238) disclosed in U.S. Patent 5,542,177, Applicant's own prior art, are membrane cutting blades, see col. 8, lines 7-9, which only remove membrane material 16 adjacent the tube end. Such blades are not adapted to remove an outer diameter portion of a tube.

Regarding the second set of claims, 11-20, claims 11-14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Hillestad (U.S. Patent 5,542,177). Additionally, claims 15 and 16 have been rejected under U.S.C. §103 as being unpatentable over Hillestad.

It is respectfully submitted that the Hillestad reference cannot teach or suggest claims 11-20 as claimed. Independent claim 11 contains limitations wherein the one or more cutting blades are connected to the body by a securing element which extends out from a face surface of said blade a first distance "A" which is less than or equal to a second distance "B" measured from a lower edge of the securing element head to a lower cutting edge of the blade. The first distance is depicted as "A" in Figure 10A of the application. The second distance is "B" also illustrated in Figure 10A. Distance A is less than or equal to distance B as depicted in Figure 10A and claimed in independent claim 11. The Applicant has unexpectedly discovered by utilizing a milling head as claimed, portions of the outer surfaces of a tube can be removed relatively easily with a rotary milling tool in addition to being able to remove membrane from around a tube. To the contrary, the milling head described in Applicant's own prior art, U.S. 5,542,177, teaches away from the limitation of at least independent claim 11. The first distance "A" as claimed in independent claim 11 is depicted in Figure 10 of the '177 reference right side, wherein fastener 240 contains a head which extends as depicted about 3.5 mm away from the face of blade 238. The second distance "B" is illustrated in Figure 9 of

the '177 patent, lower right side, measured from the bottom of fastener 240 to the blade lower surface 244 and as depicted has a distance of 1.0 mm. The first distance "A", 3.5 mm, is much greater than the second distance "B" of 1.0 mm. Accordingly, there can be no anticipation of Applicant's independent claim 11. The '177 reference cannot teach or suggest the claimed first distance which is less or equal to the second distance. It is respectfully submitted that claims 11-20 are also allowable.

Regarding the third set of claims, claims 21-30, independent claim 21 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Hillestad. Claims 22 and 25-30 have been indicated as being allowable if rewritten in independent form. Accordingly, the limitation of claim 22 has been added to independent claim 21 in order that claims 21-30 be allowed. The Hillestad reference cannot anticipate, nor teach or suggest tube film cutting blades comprising a countersink around said bore capable of receiving at least a portion of a head of the securing element.

In accordance with the amendments and arguments presented herewith, it is believed that all claims are in condition for allowance and a notice of such is earnestly solicited.

Should the Examiner have any questions or concerns regarding this response, a telephone call to the undersigned is greatly appreciated.

Respectfully submitted,

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Attorney Docket No.: H&S-L-CIP